

EXHIBIT E

Confidential



Transcript of **Eda Daniel**

Saturday, April 9, 2022

National Coalition on Black Civic Participation, et al. v. Jacob Wohl, et al.

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1 Q. Absolutely. Do you belong to any civic
2 organizations that has any outreach or participation in
3 the Black community?

4 A. Locally in East Cleveland, I'm a member of a --
5 I attend meetings of a local civic organization called
6 NOAH and I'm also involved in my neighborhood group to
7 make our neighborhood a better place.

8 Q. What exactly is NOAH?

9 A. It's an organization that wants to support the
10 people of East Cleveland, it's just a local -- very
11 local to East Cleveland organization.

12 Q. Is NOAH an acronym that stands for something
13 different?

14 A. Yes, but I can't remember what it is right now.

15 Q. That's okay. What in particular do you do for
16 NOAH?

17 A. I mostly just attend meetings. I think I've
18 talked to neighbors about, you know, NOAH, but other
19 than that, I just attend meetings to find out what work
20 they're doing in our community.

21 Q. Do you hold any titles or ranks within the
22 organization?

23 A. No.

24 Q. The neighborhood group that you mentioned, what
25 exactly is that? Does it have a name?

1 MR. GOLD: Objection.

2 A. It is my contention that within this call,
3 using these statements in my city is designed to
4 frighten Black people because these are the people who
5 are the majority of the people in my zip code are Black.

6 Q. Do you know what other cities this call was
7 sent to?

8 A. I do not know.

9 Q. So is it fair to say you don't know whether
10 this call was also sent to predominantly White cities?

11 A. That is true, I don't know.

12 Q. Have you spoken to anyone in the Black
13 community who received this call?

14 MR. GOLD: Objection.

15 A. No.

16 Q. So you don't know how the Black community
17 perceives this call, correct?

18 MR. GOLD: Objection.

19 A. Because I've grown up in America and have had
20 Black friends my entire life, I know how Black people
21 feel about these kinds of efforts to make them fearful.

22 Q. Have you spoken to any of those friends about
23 this call?

24 A. No.

25 Q. So again, is it fair to say you do not know how

1 the Black community perceives this call?

2 MR. GOLD: Objection.

3 A. In a word, no. But this is not really a
4 question that one can answer with a yes, no answer.

5 Q. Well, your opinion is based on your assumption
6 about how the Black community would feel about this
7 call; is that not correct?

8 A. My opinion is based on conversations I've had
9 with Black friends about other things, nothing to do
10 with this call and from reading that I've done my entire
11 life about tactics used against Black people.

12 Q. So your opinion on how the Black community
13 would perceive this call is based on an assumption,
14 correct?

15 MR. GOLD: Objection.

16 A. I'm -- I really am -- an assumption means that
17 there's been no education or learning or experience
18 behind something and one just makes -- has a belief
19 system based on no evidence. One -- an intelligent
20 person can look at something like the text of this call,
21 can also know -- I personally know how this call
22 impacted and affected me emotionally and to know that
23 this would not play well amongst other people,
24 particularly Black people.

25 Q. And you don't believe that your opinion on how

1 this would affect the Black community is based on your
2 own racial biases?

3 MR. GOLD: Objection. Argumentative.

4 A. If you're using bias in a negative sense, then
5 I don't agree. If you're saying -- one can be bias for
6 something or against something, okay. If you're trying
7 to make me say that I am personally racist, then, I -- I
8 really object to that.

9 Q. I'm certainly not suggesting that. I'm asking
10 whether this -- your opinion is based on your own
11 stereotypes about the Black community?

12 MR. GOLD: Objection. Argumentative.

13 A. I believe I just answered that. It sounds like
14 you're trying to make me say that I am racist. And I am
15 trying to say that there is so much documented evidence
16 of how Black people have been treated in this country
17 for hundreds of years. This is based on information --
18 my feelings about this are based on information.

19 Q. Okay. You mentioned -- you testified before
20 that this call was very distressing to you and had an
21 emotional impact. What in particular was distressing
22 about this call to you?

23 A. I believe I covered that. I will tell you
24 again that my --

25 Q. I'm sorry, I cut you off, I'm sorry.

1 Q. And I know you testified in quite some detail
2 about it, but I just want to be clear, at the time you
3 received the robo call, were you personally intimidated
4 by it?

5 MR. GOLD: Objection.

6 A. I was frightened for a moment until I realized
7 that this was not -- that I was not the target.

8 Q. Is it fair to say that you were able to see
9 through the alleged intimidation of the robo call?

10 A. Yes, I was able to see through it, which is why
11 I was so angry that this was happening.

12 Q. At the time you received the robo call, did you
13 believe that members of the Black community would not be
14 able to see through this alleged intimidation?

15 MR. GOLD: Objection.

16 A. That never occurred to me.

17 Q. Did you feel threatened by the robo call?

18 A. I think I've already testified to the answer
19 being yes, the first part with the police departments
20 will track down old warrants, I do not have any warrants
21 old or new. But when one is saying that -- when one
22 picks up the phone -- when I picked up the phone, I did
23 not expect to get this kind of a call. There's no
24 introduction in terms of preparing -- there's know way
25 to be prepared to receive a phone call like this.

1 A. Intimidation is very powerful.

2 Q. But not powerful enough to you affect you?

3 A. Correct.

4 Q. But potentially powerful enough to affect the
5 members of the Black community?

6 MR. GOLD: Objection. Mischaracterizes
7 testimony.

8 A. It's possible.

9 Q. Do you believe that you were able to recognize
10 thing that members of the Black community aren't?

11 MR. GOLD: Objection. Argumentative,
12 mischaracterizes testimony.

13 MR. KLEINMAN: You can just say
14 objection, Aaron. We don't need the speaking
15 objections.

16 MR. GOLD: Yeah, I know. Ask your
17 question.

18 MR. KLEINMAN: I'll remember that for
19 my client's deposition as well.

20 MR. GOLD: You got it.

21 A. Please ask that question again.

22 Q. Do you think you're smarter than members of the
23 Black community?

24 MR. GOLD: Objection. Argumentative.

25 A. I do not.

1 Q. Do you believe you have more insight than
2 members of the Black community?

3 A. I certainly do not.

4 Q. Besides your attorneys, Ms. Slaven and anyone
5 else we've already talked about, have you discussed this
6 lawsuit with anybody else?

7 A. No.

8 Q. As a result of this lawsuit, did you sustain
9 any direct financial losses?

10 A. No.

11 Q. Besides what you've already testified to, did
12 you sustain any type of impairment as a result of the
13 robo call?

14 A. Other than what we've discussed, I have not.

15 MR. KLEINMAN: Aaron, why don't we take
16 a quick five, let me review my notes, you can
17 review yours. So 12:30 we can jump back.

18 MR. GOLD: That works.

19 MR. KLEINMAN: Perfect.

20 (Whereupon, a short break was taken.)

21 Q. Just quickly Ms. Daniel, drawing your attention
22 back to Exhibit H, this donotcall.gov website listed on
23 this e-mail, did you report the August 2020 robo call to
24 this e-mail?

25 A. I don't believe that I did. I really don't --